

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

JUN 15 2007

Case No. 5609
Date Filed 6/11/07
Hearing Date _____
Receipt _____
Fee \$450.00

Shaded Areas for Office Use Only

Type of Application

☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code _____

CASE 5609 MAP 61 TYPE Variance ELECTION DISTRICT 01

LOCATION 213 Suitland Place, Abingdon 21009

BY James and Anna Genna

Appealed because a variance pursuant to Sec. 267-36(B) Table VI of the Harford County Code to permit a patio room to maintain a rear yard setback of 27' (35' required) in the R3 District, requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name Genna, James Phone Number 410-515-2973
Address 213 Suitland PL. Abingdon Md. 21009
Street Number Street City State Zip Code

Co-Applicant Genna, Anna Phone Number 410 515 2973
Address 213 Suitland PL. Abingdon Md. 21009
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 213 Suitland PL
Abingdon Md 21009

Subdivision Constant Friendship Lot Number 58

Acreage/Lot Size 7,840 Election District 1 Zoning R3

Tax Map No. 61 Grid No. 1E Parcel 378 Water/Sewer: Private _____ Public ✓

List ALL structures on property and current use: Single Family dwelling with deck.

Estimated time required to present case: 30 min or less

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No ☒

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No ✓

Is this request within one (1) mile of any incorporated town limits? Yes _____ No _____

Request

To Build a Patio room (12'x13') on rear of house
Room is going on Existing deck. We will only have 27' To
The rear property line. We need 35

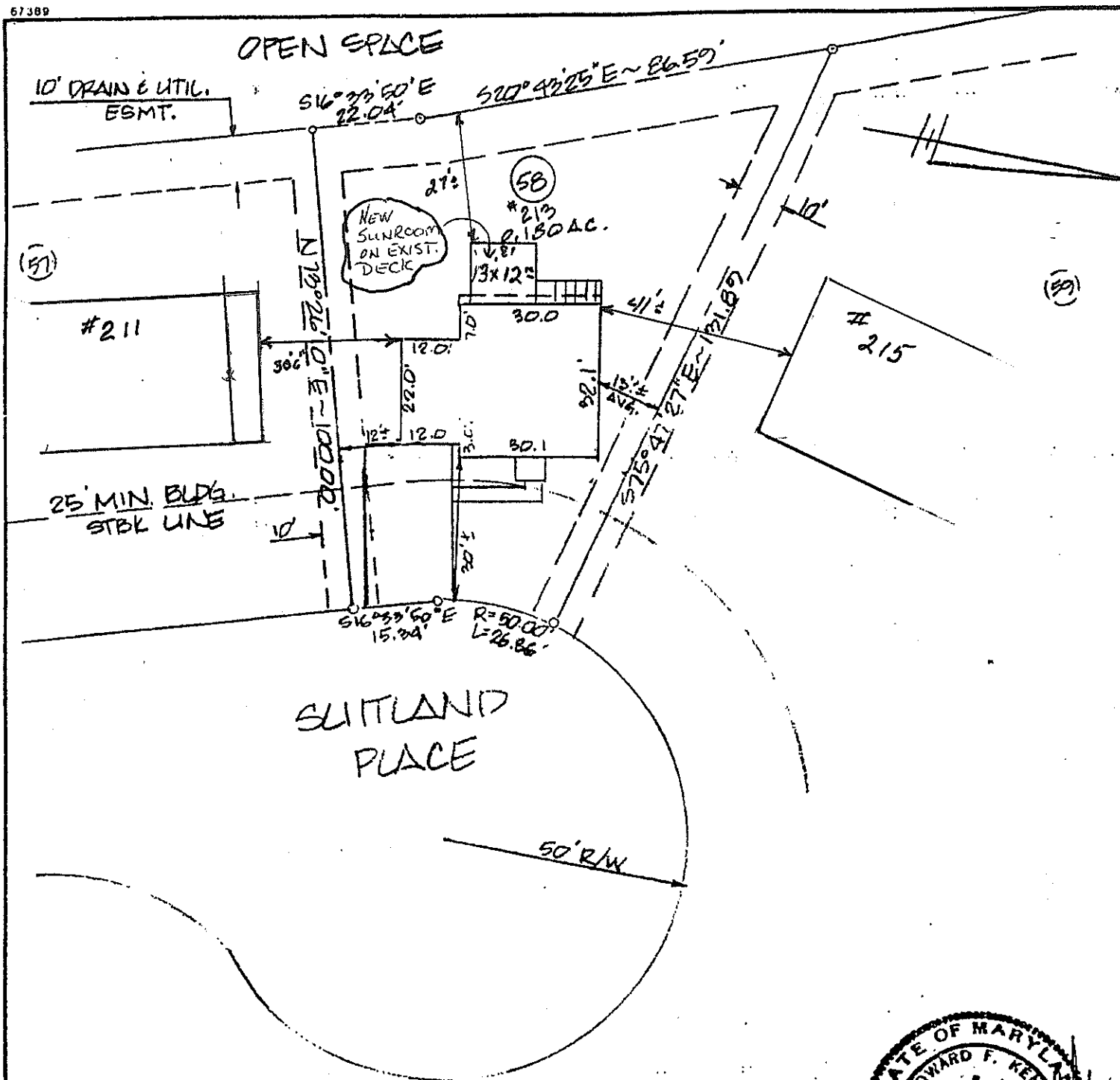
Justification

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

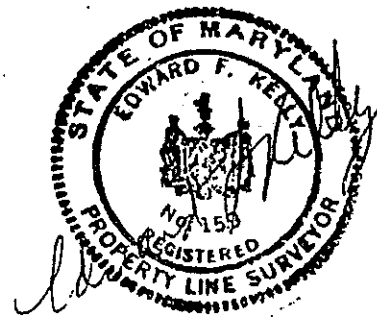
Justification

Our property is located on a court. Making our lot a triangular shape. We have a 30ft. Front setback, When our lot is only required to have 25ft. The front setback and the shape of our lot in combination with our house and the proposed addition leaves us with only a 27ft setback at the closest point to the rear property line.

Our property backs up to Route 24 so the sunroom would not effect our neighbors. There is also at least 6 patio rooms within 2 blocks of our home, Therefore our home would not be unique to our subdivision. The room will be built on existing deck. It will give us more use of our deck, provide us with protection from the weather and insects, finally it will also help quite the noise from route 24.



The information on this plat shows only that the improvements indicated hereon are located as shown within the outlines of the lot upon which they are erected, and is not to be construed as an establishment of property lines.

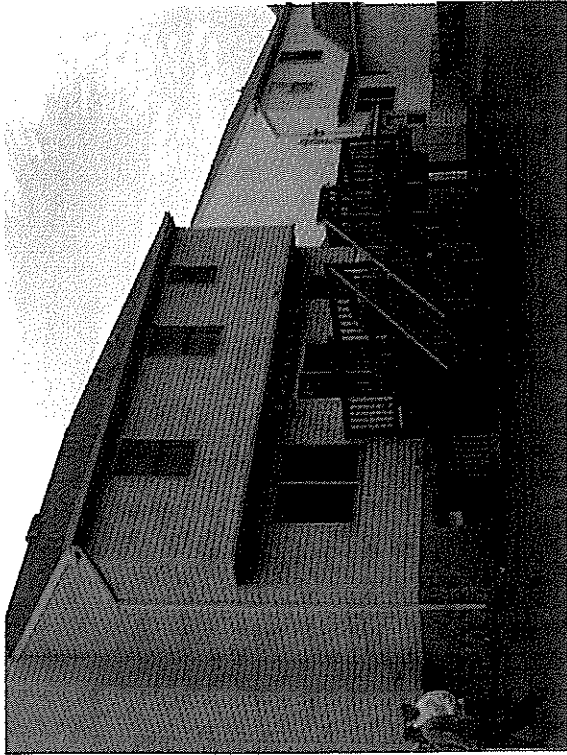


MORRIS AND RITCHIE ASSOCIATES, INC.

ENGINEERS AND SURVEYORS
139 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
PHONE: 836-7560 - 879-1690

LOCATION OF EXISTING STRUCTURE
LOT 58
FINAL PLAT TWO - SECTION FIVE
CONSTANT FRIENDSHIP
CGA 63 FOLIO 75
FIRST ELECTION DISTRICT
HARFORD COUNTY MARYLAND
FOR: LEXINGTON HOMES

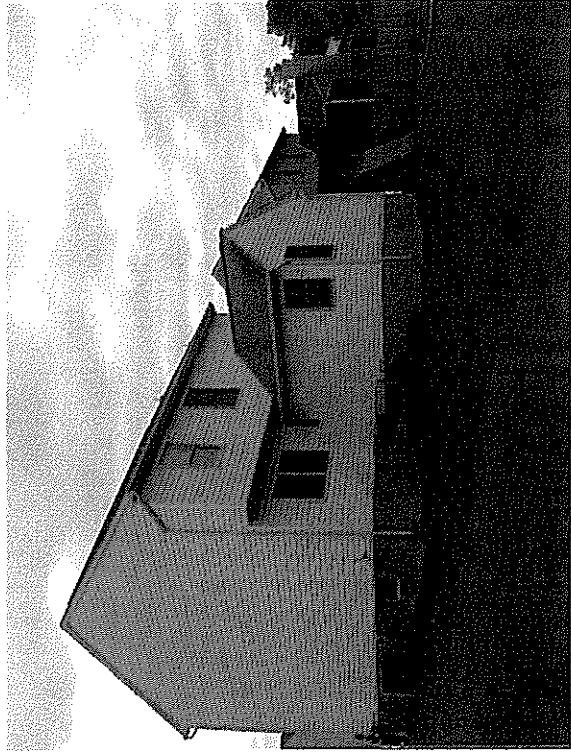
SCALE: 1"=30' DATE: 1-16-97 DRAWN BY: SR JOB NO. 9034



Location or proposed sunroom
on existing Deck.



View of rear yard from Deck, (location of
proposed sunroom).



Neighboring home with rear Addition.

2004 Aerial Photograph



Over

Pe

2c

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

July 31, 2007

STAFF REPORT

BOARD OF APPEALS CASE NO. 5609

APPLICANT/OWNER: James Genna
213 Suitland Place, Abingdon, Maryland 21009

Co-APPLICANT: Anna Genna
213 Suitland Place, Abingdon, Maryland 21009

REPRESENTATIVE: Applicants

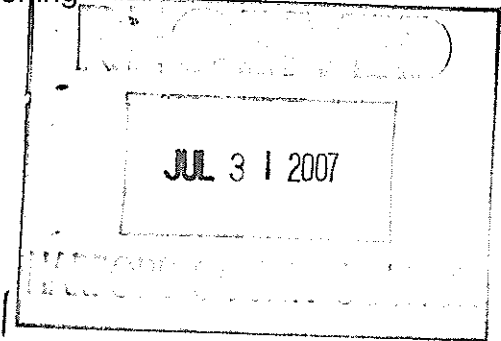
LOCATION: 213 Suitland Place – Constant Friendship
Tax Map: 61 / Grid: 1E / Parcel: 378 / Lot: 58
Election District: First (1)

ACREAGE: 7,840 square feet

ZONING: R3/Urban Residential District.

DATE FILED: June 11, 2007

HEARING DATE: August 27, 2007



APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"To build a patio room (12'x 13') on rear of house. Room is going on existing deck. We will only have 27' to the rear property line. We need 35'."

Preserving Harford's past; promoting Harford's future

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410.638.3000 • 410.879.2000 • TTY 410.638.3086 • www.harfordcountymd.gov

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST.

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James and Anna Genna

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Justification:

See Attachment 1.

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-36(B), Table VI of the Harford County Code to permit a patio room to maintain a rear yard setback of 27 feet (35 feet required) in the R3/Urban Residential District.

Enclosed with the report is a copy of Section 267-36(B), Table VI of the Harford County Code (Attachment 2).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants property is located on the east side of Route 24, south of Singer Road and is part of the Constant Friendship development. The lot fronts on Suitland Place and backs up to Route 24. A location map, a copy of the record plat and a copy of the Applicant's site plan are enclosed with the report (Attachments 3, 4, and 5).

The subject property is located within the Development Envelope. The predominant land use designations in this area are: Medium and High Intensities. The Natural Features Map reflects Parks and Stream Systems. The subject property is designated as Medium Intensity which is defined by the 2004 Master Plan as:

Medium Intensity - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores and other commercial uses are examples of some of the more intensive uses associated with this designation.

Enclosed with the report are copies of the 2004 Land Use Map and the Natural Features Map (Attachments 6 and 7).

Land Use – Existing:

The existing land uses are consistent with the intent of the 2004 Master Plan. Residential uses include single family homes, townhouses, garden apartments and condominiums. Commercial uses include single retail businesses, shopping centers, restaurants, automotive related uses, personal and professional services. There are Day-Care Centers, Nursing Homes and Churches in the area. The topography of the area ranges from rolling to steep especially near the stream

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James and Anna Genna

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valleys and there many tributaries. Enclosed with the report is a copy of the aerial photograph and a topography map for the general area (Attachments 8 and 9).

The subject lot is part of the Constant Friendship development and fronts on the west side of Suitland Place near the end of the cul-de-sac. There is a strip of open space between the subject lot and the Route 24 right of way. The lot is pie shaped with the narrow part along Suitland Place (42.2± feet) and the wide part across the rear (108± feet). Due to the shape of the lot the dwelling was located approximately 5 feet behind the setback line to meet the side and setbacks. The topography of the lot is gently sloping from the road to the rear of the lot. The existing improvements consist of a single family frame 2-story dwelling with an attached one car garage. Other improvements consist of a double wide concrete driveway, a deck attached to the rear of the dwelling and a frame shed located directly behind the garage. There is a berm across the rear of the lot with large mature pine trees across the top to buffer the noise and visual impact from Route 24. Behind the berm is open space and the right of way for Route 24. Enclosed with the report are site photographs, a topography map of the subject property and enlargement of the aerial photograph (Attachments 10, 11 and 12).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. Residential zoning includes R2 and R3/Urban Residential Districts. Commercial zoning includes B2/Community Business, B3/General Business and CI/Commercial Industrial Districts. The subject property is zoned R3/Urban Residential District as shown on the enclosed copy of the Zoning Map (Attachment 13).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-36(B), Table VI of the Harford County Code to permit a patio room to maintain a rear yard setback of 27 feet (35 feet required) in the R3/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique. The dwelling had to be placed 5 feet behind the front setback line in order to meet the side yard setback. The property backs up to an area of open space and the Route 24 right-of-way. If approved, the requested variance will not have an adverse impact on the neighborhood or the intent of the code. The proposed addition is consistent with other structures in the neighborhood.

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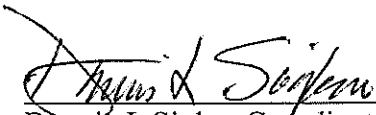
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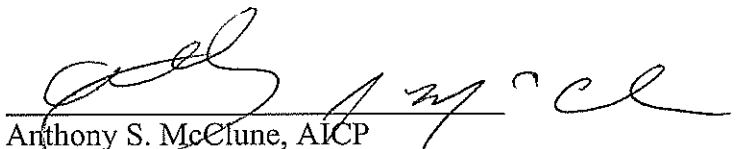
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RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the Applicants obtaining all necessary permits and inspections for the construction of the sunroom.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning

DJS/ASM/jf